

09-10-04

IFW

1654

EXPRESS MAIL MAILING LABEL NO. EV375068968US



TRANSMITTAL FORM

Application Serial Number	10/067,527
Filing Date	February 4, 2002
First Named Inventor	Takada
Group Art Unit	1654
Examiner Name	Gupta, Anish
Attorney Docket No.	FJN-058C1
Confirmation No.	8309

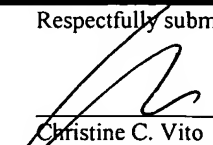
ENCLOSURES (check all that apply)


<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.) <input checked="" type="checkbox"/> Check Attached (\$1130.00) <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response (9 pgs.) <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input checked="" type="checkbox"/> Petition for Extension of Three Month Time (1 pg.) <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (2 pgs.) <input checked="" type="checkbox"/> Supplemental Form PTO-1449 (1 pg.) <input checked="" type="checkbox"/> Copy of IDS Citation (CL-18 pgs.) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure (please identify below) <input checked="" type="checkbox"/> Exhibit A – "The Bioavailability of Dietary Calcium;" <i>Journal of American College of Nutrition</i> , Vol. 19(2), 119S-136S (2000)(18 pgs.)
--	--	--

CORRESPONDENCE ADDRESS

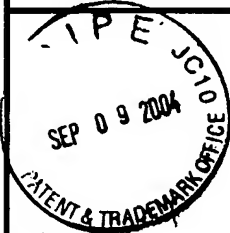
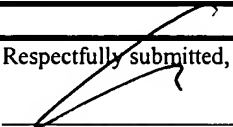
Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

 Date: September 9, 2004
 Reg. No. 39,061
 Tel. No.: (617) 248-7368
 Fax No.: (617) 248-7100
 Christine C. Vito
 Attorney for the Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110

 FREE TRANSMITTAL FY 2004	<i>Complete if Known</i>	
	Application Serial Number	10/067,527
	Filing Date	February 4, 2002
	First Named Inventor	Takada
	Group Art Unit	1634
	Examiner Name	Gupta, Anish
	Attorney Docket No.	FJN-058C1

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																							
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte reexamination</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>420</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>950</td> <td>475</td> <td>Extension for reply within third month</td> <td>950.00</td> </tr> <tr> <td>1480</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>2010</td> <td>1005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>290</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td>180.00</td> </tr> <tr> <td>770</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>770</td> <td>385</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td></td> <td></td> </tr> </tbody> </table>				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month	950.00	1480	740	Extension for reply within fourth month		2010	1005	Extension for reply within fifth month		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement	180.00	770	385	Filing a submission after final rejection (37 CFR 1.129(a))		770	385	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)				Other fee (Specify)			
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																								
130	65	Surcharge - late filing fee or oath																																																																																									
50	25	Surcharge - late provisional filing fee or cover sheet																																																																																									
130	130	Non-English specification																																																																																									
2,520	2,520	Request for ex parte reexamination																																																																																									
110	55	Extension for reply within first month																																																																																									
420	210	Extension for reply within second month																																																																																									
950	475	Extension for reply within third month	950.00																																																																																								
1480	740	Extension for reply within fourth month																																																																																									
2010	1005	Extension for reply within fifth month																																																																																									
330	165	Notice of Appeal																																																																																									
330	165	Filing a brief in support of an appeal																																																																																									
290	145	Request for oral hearing																																																																																									
130	130	Petitions to the Commissioner																																																																																									
180	180	Submission of Information Disclosure Statement	180.00																																																																																								
770	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																									
770	385	For each additional invention to be examined (37 CFR 1.129(b))																																																																																									
100	100	Certificate of Correction for applicant's error																																																																																									
110	55	Submission of Terminal Disclaimer																																																																																									
Other fee (Specify)																																																																																											
Other fee (Specify)																																																																																											
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.																																																																																											
3. <input type="checkbox"/> Applicant claims small entity status.																																																																																											
FEE CALCULATION																																																																																											
1. FILING FEE <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>770</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>340</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>160</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>				Large Entity Fee (\$)	Fee Description	Fee Paid	770	Utility filing fee		340	Design filing fee		160	Provisional filing fee																																																																													
Large Entity Fee (\$)	Fee Description	Fee Paid																																																																																									
770	Utility filing fee																																																																																										
340	Design filing fee																																																																																										
160	Provisional filing fee																																																																																										
<table border="1"> <thead> <tr> <th>Number Filed</th> <th>Number Extra</th> <th>Rate</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>- 20 =</td> <td>x \$ 18.00 =</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>- 3 =</td> <td>x \$ 86.00 =</td> <td></td> </tr> <tr> <td colspan="3"><input type="checkbox"/> Multiple Dependent Claim(s), if any</td> <td>\$290.00 =</td> </tr> <tr> <td colspan="3">TOTAL:</td> <td></td> </tr> <tr> <td colspan="3">SMALL ENTITY DISCOUNT:</td> <td></td> </tr> <tr> <td colspan="3">SUBTOTAL (1)</td> <td>(\$) 0.00</td> </tr> </tbody> </table>				Number Filed	Number Extra	Rate	Amount	Total Claims	- 20 =	x \$ 18.00 =		Independent Claims	- 3 =	x \$ 86.00 =		<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$290.00 =	TOTAL:				SMALL ENTITY DISCOUNT:				SUBTOTAL (1)			(\$) 0.00																																																												
Number Filed	Number Extra	Rate	Amount																																																																																								
Total Claims	- 20 =	x \$ 18.00 =																																																																																									
Independent Claims	- 3 =	x \$ 86.00 =																																																																																									
<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$290.00 =																																																																																								
TOTAL:																																																																																											
SMALL ENTITY DISCOUNT:																																																																																											
SUBTOTAL (1)			(\$) 0.00																																																																																								
2. AMENDMENT CLAIM FEES <table border="1"> <thead> <tr> <th>Claims Remaining After Amend.</th> <th>Highest No. Previously Paid For</th> <th>Present Extra</th> <th>Rate</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td>-</td> <td>=</td> <td>x \$ 18.00 =</td> <td></td> </tr> <tr> <td>Indep.</td> <td>-</td> <td>=</td> <td>x \$ 86.00 =</td> <td></td> </tr> <tr> <td colspan="3"><input type="checkbox"/> First Presentation of Multiple Dep. Claim</td> <td>+ \$290.00 =</td> <td></td> </tr> <tr> <td colspan="3">TOTAL:</td> <td>(\$)</td> <td></td> </tr> <tr> <td colspan="3">SMALL ENTITY DISCOUNT:</td> <td>(\$)</td> <td></td> </tr> <tr> <td colspan="3">SUBTOTAL (2)</td> <td>(\$) 0.00</td> <td></td> </tr> </tbody> </table>				Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid	Total	-	=	x \$ 18.00 =		Indep.	-	=	x \$ 86.00 =		<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$290.00 =		TOTAL:			(\$)		SMALL ENTITY DISCOUNT:			(\$)		SUBTOTAL (2)			(\$) 0.00		SUBTOTAL (3) (\$) 1130.00																																																				
Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid																																																																																							
Total	-	=	x \$ 18.00 =																																																																																								
Indep.	-	=	x \$ 86.00 =																																																																																								
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$290.00 =																																																																																								
TOTAL:			(\$)																																																																																								
SMALL ENTITY DISCOUNT:			(\$)																																																																																								
SUBTOTAL (2)			(\$) 0.00																																																																																								
				SUBTOTAL (1) 0.00 SUBTOTAL (2) 0.00 SUBTOTAL (3) 1130.00																																																																																							
				TOTAL (\$) 1130.00																																																																																							
CORRESPONDENCE ADDRESS				SIGNATURE BLOCK																																																																																							
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100				Respectfully submitted, Date: September 9, 2004 Reg. No.: 39,061 Tel. No.: (617) 248-7368 Fax No.: (617) 248-7100 Christine C. Vito Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110																																																																																							

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Attorney Docket Number FJN-058C1											
	In re Application of Takada <i>et al.</i>												
	Application Serial No. 10/067,527												
	Filed: February 4, 2002												
	Group Art Unit: 1654	Examiner: Gupta, Anish											
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above entitled application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired)</p> <table border="1"> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td>\$</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td>\$ 950.00</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td>\$</td> </tr> </table> <p><input type="checkbox"/> Applicant is a small entity under 37 CFR 1.9 and 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$____. A small entity statement under 37 CFR 1.27:</p> <p><input checked="" type="checkbox"/> A check in the amount of \$1130.00 is enclosed, \$950.00 of which is for the petition fee.</p> <p><input type="checkbox"/> The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 20-0531. Enclosed is a copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 20-0531.</p> <p>I am the <input type="checkbox"/> assignee of record of the entire interest. <input type="checkbox"/> applicant. <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). _____</p>				<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 950.00	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$												
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$												
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 950.00												
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$												
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$												
CORRESPONDENCE ADDRESS		SIGNATURE BLOCK											
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		Respectfully submitted,  Date: September 9, 2004 Reg. No. 39,061 Tel. No.: (617) 248-7368 Fax No.: (617) 248-7100 Christine C. Vito Attorney for Applicants Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110											

3115896

09/13/2004 RHEKONEN 00000045 10067527

01 FC:1253

950.00 OP



PATENT

Attorney Docket No. FJN-058C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Takada *et al.* CONFIRMATION NO.: 8309
 SERIAL NO.: 10/067,527 GROUP NO.: 1654
 FILING DATE: February 4, 2002 EXAMINER: Gupta, Anish
 TITLE: Compositions For Strengthening Bone

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the publication listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. A Copy of the publications is enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

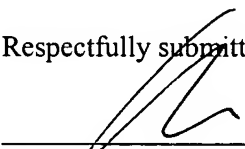
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

Date: September 9, 2004
Reg. No. 39,061

Tel. No.: (617) 248-7368
Fax No.: (617) 248-7100

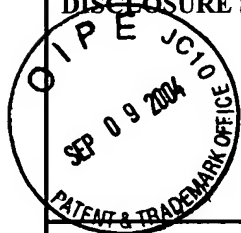
3115928

Respectfully submitted,



Christine C. Vito
Attorney for Applicants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

FORM PTO - 1449

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

ATTY DOCKET NO.: FJN-058CI

APPLICANT: Takada et al.

SERIAL NO.: 10/067,527

FILING DATE: February 4, 2002 GROUP: 1653

CONFIRMATION NO.: 8309

U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

EXAM INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG Y/N

OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	CL	Guéguen et al., "The Bioavailability of Dietary Calcium," <i>Journal of American College of Nutrition</i> , Vol. 19(2), 119S-136S (2000).							

EXAMINER

DATE CONSIDERED